

1 BILAL A. ESSAYLI
2 First Assistant United States Attorney
3 ALEXANDER SCHWAB
4 Assistant United States Attorney
5 Acting Chief, Criminal Division
6 IAN V. YANNIELLO (Cal. Bar No. 265481)
7 GREGORY W. STAPLES (Cal. Bar No. 155505)
8 DANIEL H. WEINER (Cal. Bar No. 329025)
9 Assistant United States Attorneys
10 1400/1500 United States Courthouse
11 312 North Spring Street
12 Los Angeles, California 90012
13 Telephone: (213) 894-3667/3535/0813
14 Facsimile: (213) 894-0142
15 E-mail: ian.yanniello@usdoj.gov
16 greg.staples@usdoj.gov
17 daniel.weiner@usdoj.gov

18 Attorneys for Plaintiff
19 UNITED STATES OF AMERICA

20 UNITED STATES DISTRICT COURT

21 FOR THE CENTRAL DISTRICT OF CALIFORNIA

22 UNITED STATES OF AMERICA,

23 No. CR 24-621 (B)-MWF

24 Plaintiff,

25 GOVERNMENT'S NOTICE OF LODGING
UNDER SEAL EXHIBIT REGARDING
IMPROPER PHOTOGRAPH TAKEN DURING
THE NOVEMBER 18 HEARING AND
PUBLISHED ONLINE

v.

26 DURK BANKS, et al.,

27 Defendants.

28 Plaintiff United States of America hereby files this Notice of Lodging an Under Seal Exhibit Regarding an Improper Photograph Taken During the November 18, 2025 Hearing and Published Online.

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This filing is based upon the attached memorandum of points and authorities, the attached exhibit (Under Seal), the files and records in this case, and such further evidence and argument as the Court may permit.

Dated: November 19, 2025

Respectfully submitted,

BILAL A. ESSAYLI
First Assistant United States
Attorney

ALEXANDER B. SCHWAB
Assistant United States Attorney
Acting Chief, Criminal Division

/s/
IAN V. YANNIELLO
GREGORY W. STAPLES
DANIEL H. WEINER
Assistant United States Attorneys

Attorneys for Plaintiff
UNITED STATES OF AMERICA

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On November 18, 2025, this Court held a hearing on multiple
3 pretrial motions, including the government's motion requesting that
4 the Court empanel an anonymous jury. Among other things, the
5 government's motion explained that an anonymous jury was necessary
6 because of the significant risk of interference with witnesses and
7 the judicial process, see Dkt. 235 at 10-14, and due to the extensive
8 and continuous national publicity in this case, see id. at 14-26.
9 Consistent with these concerns, the government received information
10 today that at least one photograph was taken during the hearing,
11 depicting certain defendants and counsel. (See Exhibit [Under
12 Seal].) The photograph --- taken in violation of Fed. R. Crim. P. 53
13 (prohibiting courtroom photographing) --- has been published on at
14 least three different websites (Reddit, Instagram, and Facebook).
15 This blatant violation of the federal rules, and the following
16 widespread dissemination of the photograph, underscores that an
17 anonymous jury is only one of the security measures this Court should
18 employ to prevent improper attempts to intimidate and/or influence
19 jurors, ensure a fair trial for all parties, and protect the judicial
20 process.

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